



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application Number	09/993,665
	Filing Date	11/27/01
	First Named Inventor	Ellis, III
	Group Art Unit	3728
	Examiner Name	Unk
	Atty. Docket No.	5884.0020-03

U.S. PATENT DOCUMENTS

*Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
<i>QJB</i>	6,314,662	Ellis, III	11-13-2001
	6,308,439	Ellis, III	10-30-2001
	6,295,744	Ellis, III	10-2-2001
<i>QJB</i>	3,005,272	Shelare et al.	10-24-1961

FOREIGN PATENT DOCUMENTS

*Examiner Initials	Foreign Patent Document Number	Country	Date of Publication of Cited Document MM-DD-YYYY	T**
<i>QJB</i>	WO 01/80678 A2	WIPO	11-01-01	
<i>QJB</i>	WO 00/54616	WIPO	09-21-00	

Examiner
Signature

Date

Considered:

8/23/03

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Substitute PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 5884.0020-00		SERIAL NO.: 08/452,490	
LIST OF MATERIALS CITED BY APPLICANT (Use several sheets if necessary)		INVENTOR'S NAME: Frampton E. Ellis, III		EXAMINER: A. Stashick	
		FILING DATE: May 30, 1995		GROUP: 3728	
U.S. PATENT DOCUMENTS					
*Examiner Initials	U.S. Patent Document Number	Name	Date of Publication	Class	Subclass
<i>RES</i>	5,544,429	Ellis, III	8/13/96		
<i>7</i>	5,543,194	Rudy	8/6/96		
	5,317,819	Ellis, III	6/7/94		
	5,237,758	Zachman	8/24/93		
	5,224,810	Pitkin	7/6/93		
	5,092,060	Frachey et al.	3/3/92		
	5,224,280	Preman et al.	7/6/93		
	5,079,856	Truelsen	1/14/92		
	5,077,916	Beneteau	1/7/92		
	5,052,130	Barry et al.	10/1/91		
	5,025,573	Giese et al.	6/25/91		
	5,024,007	DuFour	6/18/91		
	5,014,449	Richard et al.	5/14/91		
	5,010,662	Dabuzhsky et al.	4/30/91		
	D 315,634	Yung-Mao	3/26/91		
	4,989,349	Ellis, III	2/5/91		
	4,982,737	Guttmann	1/8/91		
	4,949,476	Anderie	8/21/90		
<i>RES</i>	4,934,073	Robinson	6/19/90		
Examiner Signature:	<i>Anthony Stashick</i>		Date Considered: <i>08/23/93</i>		
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<i>WES</i>	4,906,502	Rudy	3/6/90		
	4,890,398	Thomasson	1/2/90		
	4,876,807	Tiitola et al.	10/31/89		
	4,866,861	Noone	9/19/89		
	4,858,340	Pasternak	8/22/89		
	4,854,057	Misevich et al.	8/8/89		
	4,837,949	Dufour	6/13/89		
	4,833,795	Diaz	5/30/89		
	4,827,631	Thornton	5/9/89		
	4,817,304	Parker et al.	4/4/89		
	4,785,557	Kelley et al.	11/22/88		
	4,768,295	Ito	9/6/88		
	4,759,136	Stewart et al.	7/26/88		
	4,757,620	Tiitola	7/19/88		
	4,756,098	Boggia	7/12/88		
<i>WES</i>	4,754,561	Dufour	7/5/88		
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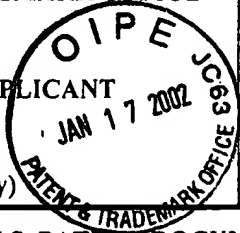
U.S. PATENT DOCUMENTS

*Examiner Initials	U.S. Patent Document Number	Name	Date of Publication	Class	Subclass
<i>JS</i>	4,748,753	Ju	6/7/88		
	4,747,220	Autry et al.	5/31/88		
	4,731,939	Parracho et al.	3/22/88		
	4,730,402	Norton et al.	3/15/88		
	4,727,660	Bernhard	3/1/88		
	4,724,622	Mills	2/16/88		
	4,715,133	Hartjes et al.	12/29/87		
	4,697,361	Ganter et al.	10/6/87		
	4,694,591	Banich et al.	9/22/87		
	4,676,010	Cheskin	6/30/87		
	4,670,995	Huang	6/9/87		
	4,642,917	Ungar	2/17/87		
	4,641,438	Laird et al.	2/10/87		
	4,624,062	Autry	11/25/86		
	4,624,061	Wezel et al.	11/25/86		
	4,580,359	Kurrash et al.	4/8/86		
<i>JS</i>	4,578,882	Talarico, II	4/1/86		
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U.S. PATENT DOCUMENTS					
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<i>OK</i>	4,577,417	Cole	3/25/86		
	4,559,724	Norton	12/24/85		
	4,559,723	Hamy et al.	12/24/85		
	4,557,059	Misevich et al.	12/10/85		
	4,542,598	Misevich et al.	9/24/85		
	4,527,345	Lopez Lopez	7/9/85		
	4,521,979	Blaser	6/11/85		
	4,506,462	Cavanagh	3/26/85		
	4,494,321	Lawlor	1/22/85		
	4,484,397	Curley, Jr.	11/27/84		
	4,468,870	Sternberg	9/4/84		
	4,455,767	Bergmans	6/26/84		
	4,455,765	Sjöswärd	6/26/84		
	4,449,306	Cavanagh	5/22/84		
	4,399,620	Funck	8/23/83		
	4,398,357	Batra	8/16/83		
<i>OK</i>	4,372,059	Ambrose	2/8/83		

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AAB	4,370,817	Ratanangsu	2/1/83				
	4,366,634	Giese et al.	1/4/83				
	4,361,971	Bowerman	12/7/82				
	4,354,319	Block et al.	10/19/82				
	4,348,821	Daswick	9/14/82				
	4,342,161	Schmohl	8/3/82				
	4,340,626	Rudy	7/20/82				
	4,335,529	Badalamenti	6/22/82				
	4,322,895	Hockerson	4/6/82				
	4,319,412	Muller et al.	3/16/82				
	4,316,335	Giese et al.	2/23/82				
	4,316,332	Giese et al.	2/23/82				
	4,309,832	Hunt	1/12/82				
	4,308,671	Bretschneider	1/5/82				
	4,305,212	Coomer	12/15/81				
AAB	4,302,892	Adamik	12/1/81				
	4,297,797	Meyers	11/3/81				
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<i>QAS</i>	4,274,211	Funck	6/23/81		
	4,272,858	Hlustik	6/16/81		
	4,271,606	Rudy	6/9/81		
	4,268,980	Gudas	5/26/81		
	4,266,349	Schmohl	5/12/81		
	4,262,433	Hagg et al.	4/21/81		
	4,259,792	Halberstadt	4/7/81		
	4,258,480	Famolare, Jr.	3/31/81		
	4,250,638	Linnemann	2/17/81		
	4,245,406	Landay et al.	1/20/81		
	4,235,026	Plagenhoef	11/25/80		
	4,227,320	Borgeas	10/14/80		
	4,223,457	Borgeas	9/23/80		
	4,219,945	Rudy	9/2/80		
	4,217,705	Donzis	8/19/80		
<i>QAS</i>	4,194,310	Bowerman	3/25/80		
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(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

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<i>QES</i>	4,183,156	Rudy	1/15/80		
	4,170,078	Moss	10/9/79		
	4,161,828	Benseler et al.	7/24/79		
	4,149,324	Lesser et al.	4/17/79		
	4,145,785	Lacey	3/27/79		
	4,141,158	Benseler et al.	2/27/79		
	4,128,951	Tansill	12/12/78		
	4,098,011	Bowerman et al.	7/4/78		
	4,096,649	Saurwein	6/27/78		
	4,083,125	Benseler et al.	4/11/78		
	4,068,395	Senter	1/17/78		
	4,030,213	Daswick	6/21/77		
	4,003,145	Liebscher et al.	1/18/77		
	3,997,984	Hayward	12/21/76		
	3,964,181	Holcombe, Jr.	6/22/76		
	3,958,291	Spier	5/25/76		
<i>QES</i>	3,863,366	Auberry et al.	2/4/75		
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<i>APS</i>	3,824,716	Di Paolo	7/23/74		
<i>4</i>	3,806,974	Di Paolo	4/30/74		
	3,535,799	Onitsuka	10/27/70		
	3,512,274	McGrath	5/19/70		
	3,416,174	Novitske	12/17/68		
	3,308,560	Jones	3/14/67		
	3,305,947	Kalsoy	2/28/67		
	3,110,971	Chang	11/19/63		
	3,100,354	Lombard et al.	8/13/63		
	2,814,133	Herbst	11/26/57		
	2,718,715	Spilman	9/27/55		
	2,627,676	Hack	2/10/53		
	2,434,770	Lutey	1/20/48		
	2,433,329	Adler et al.	12/30/47		
	2,328,242	Witherill	8/31/43		
	2,179,942	Lyne	11/14/39		
<i>APS</i>	2,170,652	Brennan	8/22/39		
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<i>ABG</i>	2,147,197	Glidden	2/14/39		
	2,120,987	Murray	6/21/38		
	1,853,034	Bradley	4/12/32		
	1,735,986	Wray	11/19/29		
	1,639,381	Manelas	8/16/27		
	1,622,860	Cutler	3/29/27		
	1,458,446	Shaeffer	6/12/23		
	1,289,106	Bullock	12/31/18		
	1,283,335	Shillcock	10/29/18		
	532,429	Rogers	1/8/1895		
<i>ABG</i>	288,127	Shepard	11/6/1883		
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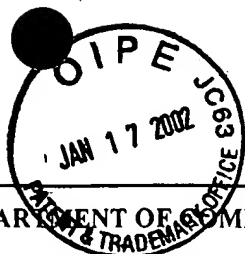
FOREIGN PATENT DOCUMENTS

*Examiner Initials	Document Number	Country	Date	Trans.	Class	Subclass
<i>DBB</i>	200963	Austria	5/15/58	No	7	1
	1 176 458	Canada	10/23/84			
	1 138 194	Canada	12/28/82			
	36 29 245	Germany	3/3/88	Abs.		
	33 17 462	Germany	10/13/83	Yes		
	32 45 182	Germany	5/26/83	Yes		
	28 05 426	Germany	8/16/79	Abs.		
	27 37 765	Germany	3/8/79	Abs.		
	27 06 645	Germany	8/24/78	Abs.		
	1 685 260	Germany	10/14/71	Yes		
	1 287 477	Germany	1/16/69	No		
	B 23257 VII/71a	Germany	5/17/56	Yes		
	0 329 391	EPO	8/23/89			
	0 260 777	EPO	3/23/88			
	0 238 995	EPO	9/30/87			
<i>DBB</i>	0 206 511	EPO	12/30/86			

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<i>ASB</i>	0 215 974	EPO	4/1/87			
	0 213 257	EPO	3/11/87	Abs.		
	0 185 781	EPO	7/2/86	Abs.		
	0 130 816	EPO	1/9/85			
	0 048 965	EPO	4/7/82	Abs.		
	2 622 411	France	5/18/89	Abs.		
	2 511 850	France	3/4/83	Abs.		
	2 261 721	France	9/19/75	Abs.		
	2 006 270	France	11/19/71	No		
	1.323.455	France	2/25/63	No		
	1.004.472	France	3/31/52	Yes		
	925.961 ✓	France	9/18/47	Yes		
	602.501	France	3/20/26	No.		
	5-123204	Japan	5/21/93	Abs.		
	4-279102	Japan	10/5/82	Abs.		
	3-85102	Japan	4/10/91	Yes		
<i>ASB</i>	1290844	Germany	3/13/69	Yes		
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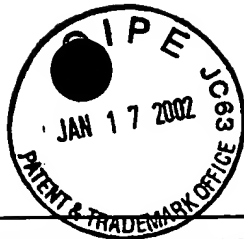


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Q28	1-195803	Japan	8/7/89	No		
	61-167810	Japan	10/17/86	No		
	61-55810	Japan	4/15/86	No		
	59-23525	Japan	7/13/84	No		
	57-139333	Japan	8/28/82	No		
	50-71132	Japan	11/2/75	No		
	45-5154	Japan	3/11/70	Yes		
	39-15597	Japan	8/4/64	Yes		
	189890	New Zealand	4/24/81			
	2 136 670	UK	9/26/84			
	2 023 405	UK	1/3/80			
	807,305	UK	1/14/59			
	764,956	UK	1 / 2 / 57			
	9 591	UK	4/23/13			
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<i>ASB</i>	16,143	UK	9/22/1891			
	WO 94/03080	WIPO	2/17/94			
	WO 93/13928	WIPO	7/22/93			
	WO 92/18024	WIPO	10/29/92			
	WO 91/11124	WIPO	8/8/91			
	WO 91/10377	WIPO	7/25/91			
	WO 91/04683	WIPO	4/18/91			
	WO 91/03180	WIPO	3/21/91			
	WO 89/06500	WIPO	7/27/89			
	WO 88/08263	WIPO	11/3/88			
<i>ASB</i>	WO 87/07480	WIPO	12/17/87			
Examiner Signature:	<i>A. Stashick</i>	Date Considered:	<i>8/23/93</i>			

* Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
** Applicant is to place a check mark (X) here if English language translation is attached.

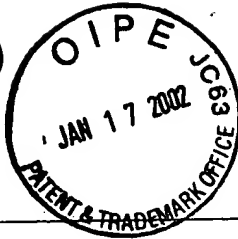


Substitute PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF MATERIALS CITED BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO.: 5884.0020-00	SERIAL NO.: 08/452,490
	INVENTOR'S NAME: Frampton E. Ellis, III	EXAMINER: A. Stashick
	FILING DATE: May 30, 1995	GROUP: 3728

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

*Examiner Initials	Other Materials (Including Author (CAPITAL LETTERS), Title, Date, Pertinent Pages, etc.)	T**
QAS	WILLIAMS, <i>Walking on Air</i> , <u>Case Alumnus</u> , Vol. LXVII, No. 6, Fall 1989, pp. 4-8	
	Brooks advertisement in <u>Runner's World</u> etc., June 1989, pp. 56+	
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	NIGG et al., <i>The Influence of lateral heel flare of running shoes on pronation and impact forces</i> , <u>Medicine and Science in Sports and Exercise</u> , Vol. 19, No. 3, 1987, pp. 294-302	
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	CAVANAGH, <u>The Running Shoe Book</u> , © 1980, pp. 176-180, Anderson World, Inc., Mountain View, CA	
QAS	Executive Summary with seven figures	
Examiner Signature:		Date Considered: 8/23/03

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use as many sheets as necessary)

Application Number	08/452,490
Filing Date	May 30, 1995
First Named Inventor	Ellis, III
Group Art Unit	3728
Examiner Name	A. Stashick
Atty. Docket No.	5884.0020-00

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*Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
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Examiner
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Date

Considered:

8/13/03

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Application Number	08/452,490
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First Named Inventor	Ellis, III
Group Art Unit	3728
Examiner Name	A. Stashick
Atty. Docket No.	5884.0020-00

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	1 888 119	Germany	12/24/1963 (filing date)	T
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Filing Date	05/30/1995
First Named Inventor	Ellis, III
Group Art Unit	3728
Examiner Name	A. Stashick
Atty. Docket No.	5884.0020-00

OTHER DOCUMENTS

*Examiner Initials	Other Documents (Including Author, Title, Place of Publication, Date, Pertinent Pages, etc.)	T**
<i>QAS</i>	The Reebok Lineup Fall 1987 (2 pages)	
<i>QAS</i>	German description of adidas badminton shoes, pre-1989(?)	
	Originally filed Specification for U.S. Patent Application No. 09/522,174 filed March 9, 2000 (ELL-002.5)	
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	Originally filed Specification for U.S. Patent Application No. 09/648,792 filed August 28, 2000 (ELL-010/Con)	
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Date

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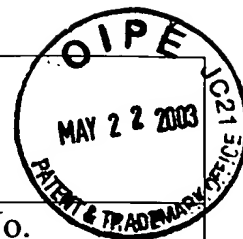
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FORM PTO-1449 Modified

Sheet 1 of 11



**List of Patents and Publications
Cited by Applicant**
(Use several sheets if necessary)

Docket No.
ANAT-4USDIV5Serial No.
09/993,665

**U.S. Department of Commerce
Patent and Trademark Office**

Applicant
Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
3728**U.S. Patent Documents**

Examiner Initial		Document No.	Date	Name	Class	Subclass
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	AB	193,914	8/7/1877	Scotto Berry		
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	AD	288,127	11/6/1883	Frederick Shepard		
	AE	500,385	6/27/1893	William Hall		
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Examiner Initial		Document No.	Date	Country	Translation YES NO
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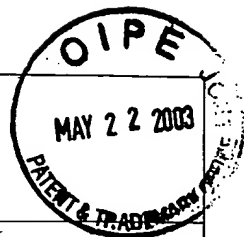
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U.S. Patent Documents

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Sheet 2 of 11

**List of Patents and Publications
Cited by Applicant**
(Use several sheets if necessary)**U.S. Department of Commerce
Patent and Trademark Office**Docket No.
ANAT-4USDIV5Serial No.
09/993,665Applicant
Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
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Examiner Initial		Document No.	Date	Name	Class	Subclass
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	BC	1,622,860	9/22/1926	D.A. Cutler		
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Examiner Initial		Document No.	Date	Country	Translation YES	NO
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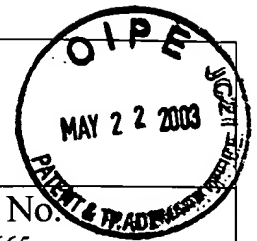
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Sheet 3 of 11



**List of Patents and Publications
Cited by Applicant**
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Docket No.
ANAT-4USDIV5Serial No.
09/993,665

**U.S. Department of Commerce
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Applicant
Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
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Examiner Initial		Document No.	Date	Name	Class	Subclass
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Examiner Initial		Document No.	Date	Country	Translation YES NO
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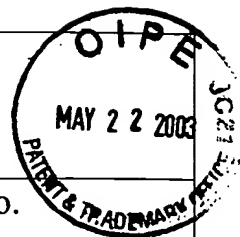
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Sheet 4 of 11



**List of Patents and Publications
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Docket No.
ANAT-4USDIV5Serial No.
09/993,665

**U.S. Department of Commerce
Patent and Trademark Office**

Applicant
Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
3728**U.S. Patent Documents**

Examiner Initial		Document No.	Date	Name	Class	Subclass
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Examiner Initial		Document No.	Date	Country	Translation YES NO
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	DO	DE3113295	10/1982	Germany	X-Abstract only
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	DQ	DE1685293	7/1971	Germany	X - Abstract only
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FORM PTO-1449 Modified

Sheet 5 of 11



**List of Patents and Publications
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Docket No.
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**U.S. Department of Commerce
Patent and Trademark Office**

Applicant
Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
3728**U.S. Patent Documents**

Examiner Initial		Document No.	Date	Name	Class	Subclass
	EA	265,019	6/22/1982	Vernonet	D2/319	320
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FORM PTO-1449 Modified

Sheet 6 of 11

**List of Patents and Publications
Cited by Applicant**
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**U.S. Department of Commerce
Patent and Trademark Office**

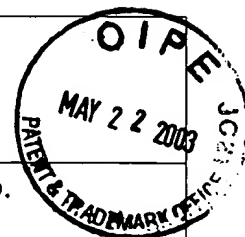
Docket No.
ANAT-4USDIV5

Serial No.
09/993,665

Applicant
Frampton E. Ellis III

Filing Date
Nov. 27, 2001

Group
3728

**U.S. Patent Documents**

Examiner Initial		Document No.	Date	Name	Class	Subclass
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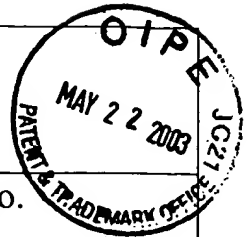
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Sheet 7 of 11

**List of Patents and Publications
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Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
3728**Other Documents (Including Author, Title, Date, Pertinent Pages, Etc.)**

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	GB	Saucony Spot-bilt Catalog Supplement, Spring 1985
	GC	adidas shoe, Model « Fire » 1985
	GD	adidas shoe, Model "Tolio H.", 1985
	GE	adidas shoe, Model "Buffalo" 1985
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	GG	adidas shoe, Model « Boston Super » 1985
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	GN	adidas shoe, Model « Questar », 1986
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EXAMINER		
	DATE CONSIDERED 8/23/03	

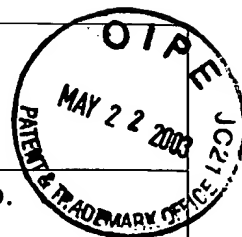
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Sheet 8 of 11

**List of Patents and Publications
Cited by Applicant
(Use several sheets if necessary)****U.S. Department of Commerce
Patent and Trademark Office**Docket No.
ANAT-4USDIV5Serial No.
09/993,665Applicant
Frampton E. Ellis IIIFiling Date
Nov. 27, 2001Group
3728**Other Documents (Including Author, Title, Date, Pertinent Pages, Etc.)**

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	HB	Nigg et al., « The Influence of Lateral Heel Flare of Running Shoes on Protraction and Impact Forces », <u>Medicine and Science in Sports and Exercise</u> , Vol. 19, No. 3, pp. 294-302 1987
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	HE	Saucony Spot-bilt shoe, <u>The Complete Handbook of Athletic Footwear</u> , pp 332, 1987
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	HK	Footwear Journal, Nike Advertisement, August 1987
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	HO	Fineagan, "Comparison of the Effects of a Running Shoe and A Racing Flat on the Lower Extremity Biomechanical Alignment of Runners", <u>Journal of the American Physical Therapy Association</u> , Vol., 68, No. 5, p 806 (1988)
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FORM PTO-1449 Modified

Sheet 9 of 11



**List of Patents and Publications
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Docket No.
ANAT-4USDIV5Serial No.
09/993,665

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Patent and Trademark Office**

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	IA	Runner's World, "Shoe Review" November 1988 pp 46-74
	IB	Footwear News, Special Supplement, February 8, 1988
	IC	Footwear News, Vol. 44, No. 37, Nike Advertisement (1988)
	ID	Saucony Spot-bilt Catalog 1988
	IE	Runner's World, April 1988
	IF	Footwear News, Special Supplement, February 8, 1988
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	II	Nike shoe, Model « High Jump 88 », 1988
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	IK	Nike shoe, Model, « Leather Cortex® », 1988
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FORM PTO-1449 Modified

Sheet 10 of 11



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	JG	Footwear News, Vol, 45, No. 5, Nike Advertisement 1989
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	JJ	adidas Catalog 1989
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	JP	adidas shoe, Model « Torsion ZC 9020 S » 1989
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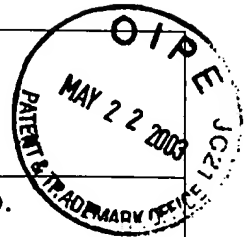
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ANAT-4USDIV5

Serial No.
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	KC	adidas Catalog 1991
	KD	K-Swiss Catalog, Fall 1991
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	KF	Complaint, Anatomic Research, Inc. and Frampton E. Ellis v. adidas America, Inc. Civil Action No. 01-1781-A
	KG	Answer and Counterclaim of Defendant adidas America, Inc., Anatomic Research, Inc. And Frampton E. Ellis v. adidas America, Inc. Civil Action No. 01-1781-A dated December 14, 2001
	KH	Complaint, Anatomic Research, Inc. V. adidas America, Inc. Adidas Salomon North America, Inc. Adidas Sales, Inc. And adidas Promotional Retail Operations, Inc. Civil Action No. 2 :01cv960
	KI	Answer and Counterclaim, Anatomic Research, Inc. V. adidas America, Inc. Adidas Salomon North America, Inc. Adidas Sales, Inc. And adidas Promotional Retail Oeprations, Inc. Civil Action No. 2 :01cv960 dated January 14, 2002
	KJ	adidas America, Inc. v. Anatomic Research, Inc. and Frampton E. Ellis III, adidas America Inc.'s Responses to Defendants' First Set of Interrogatories dated January 28, 2002
	KK	adidas' Second Supplemental Responses to Interrogatory No. 1
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